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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 03/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,152

Applicant(s)

VERBIL ET AL.

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Amendment

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 1 and 4-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farris (US PAT # 5,692,033).

Regarding claim 1, Farris teaches a method of queuing calls to a subscriber of queuing services accessed through a subscriber line (see abstract), the method comprising: detecting a call to the subscriber line at a local switch connected to the subscriber line (see col.7, lines 29-37); if the subscriber line is busy (see col.3, lines 55-58), queuing the call to the subscriber in a intelligent peripheral (this basically read on the portion of the IP 18 or SSP 10a functionality, when collecting information from the caller and adding the caller to the queue, see col.11, lines 48-67), the intelligent peripheral within an Advanced Intelligent Network (AIN) telecommunications system (see col.5, lines 40-45); determining that the subscriber line is not busy; and if a call is queued in the intelligent peripheral and the subscriber line is determined to be not busy, connecting the call to the subscriber with the subscriber line (this reads on the scenario when the called party line is not busy providing a ringback to the caller and connecting the call, see col.7, lines 58-60). The amended claim recites the limitation of Call Forward on Busy Line, this feature, as addressed previously is old and well known in

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the art. Obviously, when the subscriber in Farris is busy, calls maybe forwarded to the IP because the call may be forwarded to any destination including an IP because the cal may be forwarded to any destination including an IP.

Farris does not specifically teach queuing the call in the intelligent peripheral (IP).

However, it teaches that the IP 18 or SSP 10a participate with ISCP 20 in order to place the caller in a queue, IP 18 or SSP 10a collects information from the caller and adds the caller to the queue, see col.11, lines 48-61, and ISCP would be responsible to update this queue, col.11, lines 63-67).

Generally, IPs have been used to perform network functionalities in order to decrease the load on the network elements. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the calls queued in the IP in order free the network recourses.

Claims 11 and 28 are rejected for the same reasons as discussed above with respect to claims 1-2 and 6.

Claim 21 is rejected for the same reasons as discussed above with respect to claim 1-4.

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Regarding claim 4, forwarding the subscriber line call to a Direct Inward Dial telephone number on the intelligent peripheral reads on using a PBX as the IP. PBXs have been used for so many years.

Regarding claim 5, when determining that the subscriber line is not busy comprises setting a Next Event List at the subscriber local switch (this may read on connecting the caller to the called destination).

Regarding claim 6, the limitation of having the local switch call the intelligent peripheral when the subscriber line is found to be busy in response to a call to the subscriber line reads on the well known Forward on Busy feature. Calls in the queue will be directed to the called destination by either monitoring for an on-hook status as described by the reference (see col.12, lines 28-38) or by repeatedly dialing the subscriber line from the intelligent peripheral; and determining that the subscriber line is busy.

Regarding claims 7 and 25, Farris teaches after determining that the call to the subscriber has been queued for a determined amount of time; requesting that a caller placing the call to the subscriber perform an action to remain in queue; and if the caller does not perform the requested action, dequeuing the call (this may read on the IP 18 informing the calling party whether he/she wants to remain on the line or not, if so he/she has to press 1, for example, otherwise calls will be terminated, see col.6, lines

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64-67).

Claims 8 and 26 are rejected for the same reasons as discussed above with respect to claim 1. Also, for generating queue utilization statistics based on the collected queue utilization information (this can reads on the number of calls entered the queue and completing these calls based on the priority of the call and the sequence of the call in the queue, see col.4, lines 19-20, and 35-40).

Regarding claims 9, 15 and 27, Farris teaches the call from the intelligent peripheral indicating status of the queued subscriber line call to the subscriber (this reads on the IP 18 providing an enhanced announcement, see col.6, lines 65-67, for example, IP 18 may announce the time, how long the call has been entered in the queue, the number of the call in the queue list, ...etc.).

Claim 19 is rejected for the same reasons as discussed above with respect to claims 9 and 15.

Regarding claims 10 and 20, the intelligent peripheral is a switchless intelligent peripheral. The use of switchless queuing is well known in the art.

Regarding claim 12, the service control point (22) determining if queue slots are available in the intelligent peripheral (see col.9, lines 27-30, also this is obvious in order

to place this call in queue, there must be a free slot or space provided).

Regarding claims 13-14 and 22-23, a messaging system, the service control point instructing the intelligent peripheral to dial the number of the messaging system and to bridge the received subscriber call to the messaging system call if the service control point determines no queue slots are available (this basically reads on the IP connecting the call to the mail box system in the event of not queuing the call see col.10, lines 28-45).

Regarding claim 16, Farris teaches an intelligent peripheral (having more than one IP is obvious), intelligent peripheral implementing at least one call queue (each IP implementing at least one call queue), each call queue associated with one of a plurality of subscribers (this is obvious); at least one service control point (reads on SCP 22 in Fig.1), each intelligent peripheral in communication with one service control point collecting information about each queued call (this reads on the IP collecting data and information CPR from the database 22, see col.8, lines 31-37); and a data server (the data server may read on the ISP 20 accessing a separate database , see col.6, lines 23-33) in communication with the at least one service control point, the data server aggregating queue utilization data for each subscriber.

Claims 17-18 are rejected for the same reasons as discussed above with respect to claim 16. The data distributor will read on ISCP 20, see col.9, lines 32-46).

Regarding claim 24, playing a message from the intelligent peripheral to the forwarded call when queuing the forwarded call (this basically reads on the IP playing announcement when the forwarding placed in a queue).

3. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farris in view of Andrews et al (US PAT # 5,271,058).

Farris does not specifically teach the use of a switchless intelligent peripheral.

However, Andrews teaches a switchless automatic call distributor that is able to perform certain functions such call processing, call queuing, ...etc, (see abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of switchless ACD as taught by Andrews into the Farris system in order to have the network performs the functionalities without having to use a switch as described in Andrews.

Response to Arguments

4. Applicant's arguments filed 01/07/2004 have been fully considered but they are not persuasive.

Regarding applicant's argument on pages 9-10, applicant provided a definition for the Call Forward Busy from the Newton's telecom Dictionary explaining this feature, however, Applicant stated on page 10 lines 3-4 that "Call Forward on Busy Line is set

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by the user to forward calls to another one of her lines". Examiner would like to bring to applicant's attention that the call forward is set to forward calls from one line to any other line. For example, if someone was on vacation, he/she could set the Call Forward feature to forward calls from the office to vacation home, cell phone, hotel, supervisor's ~~home~~ phone, or any other destination.

Applicant, on page 10, states that "neither Farris nor the common use of a Call Forward on Busy Line teach or fairly suggests using this feature to contact an intelligent peripheral for the purpose of queuing a blocked call". Examiner believes that this case is not directed to call blocking, but directed to call forwarding. Call blocking according to Newton's telecom Dictionary is if you "check in a hotel, dial a 0+ call, you are connected to Alternate Operator Service company, but you know their rates may be high. You ask to be connected to AT&T or MCI, whoever is the carrier of your choice. Sadly, the AOS cannot connect and neither can (nor will) your hotel's operator. This is called call "Call Blocking". Therefore, applicant misused the terminology of "call blocking" by applying it to this invention.

Regarding applicant's argument for claims 11, 21 and 28, the examiner would like to bring to applicant's attention that those claims are not different in scope from claim 1, and therefore, they are rejected for the same reason as claim 1.

For claim 28, applicant states "placing busy check calls from intelligent peripheral to the subscriber line" and states that the examiner found no teaching in Farris for such an operation. As a matter of fact, examiner referred the applicant that Farris system sets a trigger in the profile record for the line serving the subscriber station, meaning this would be responsible for monitoring the status of the subscriber station, see col.11, lines 15-41 and col.12, lines 28-38).

Examiner believes that all other applicant's arguments are addressed fairly in the above rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Examiner

Rasha S Al-Aubaidi

03/10/2004


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